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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/713,382	11/15/2000	Clayton A. George	54680USA8B.008	4594

7590 11/19/2002

Office of Intellectual Property Counsel
3M Innovative Properties Company
P O Box 33427
St. Paul, MN 55133-3427

EXAMINER

CHANG, VICTOR S

ART UNIT	PAPER NUMBER
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1771

DATE MAILED: 11/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

AS-11

Advisory Action	Application No. 09/713,382	Applicant(s) GEORGE ET AL.	
	Examiner Victor S Chang	Art Unit 1771	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 30 October 2002 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See attached NOTE.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 11-30.

Claim(s) withdrawn from consideration: _____.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

NOTE

1. It should be noted that the Amendment and Response filed on 10/30/2002 lacks proper clean sheets of marked up versions of both newly amended specification and newly amended claims. However, the amendments were nevertheless seriously considered.
2. The After Final Amendment is not entered because newly amended claim 29, line 10, recites "(II) a glass substrate bonded to the foam core", and the newly amended claim 30, line 10, recites "(II) a first substrate bonded to the foam core" (Response, pages 2-3). Each of these underlined amendments clearly constitutes a new issue, i.e., they would each require further consideration and/or search.
3. The Examiner further notes in passing that with respect to Applicants' argument that the reference JP '393 is not combinable with Johnson (Response, page 7, top paragraph), the Examiner would like to point out that both JP '393 and Johnson's inventions are directed to the same field of endeavor, that is a curable (e.g., thermoset) sealant for jointing members. As such, it would have been obvious to one of ordinary skill in the art to combine the teachings of JP '393 and Johnson.
4. Additionally, it is noted that while Applicants newly amended claims have eliminated the structural errors in the claims, Applicants also present many other arguments involving such diverse issues as Double Patenting, what constitutes a restrictable invention in an alleged divisional application, multiple prior art issues (none of which are believed to have been overcome), and withdrawal of an earlier presented

Art Unit: 1771

Terminal Declaration, etc. If Applicants believe these problems can be overcome, it would be much better that they be handled in a refilled continuation.

DANIEL ZIRKER
PRIMARY EXAMINER
GROUP 1300-

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Daniel Zinker